

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: August 30, 2013

SUBJECT: ZC Case No. 85-10B- Report for Minor Modification to Approved PUD – Hillandale Homeowners Association

APPLICATION

The Hillandale Homeowners Association, the applicant, requests Zoning Commission approval for a minor modification to ZC Order 481 (Case No. 85-10/79-14 of the Hillandale Development Corporation PUD.) This request is a change to the type and height of fencing along the northern and western sides of the subject property.

No other changes are proposed.

SUMMARY RECOMMENDATION

The Office of Planning recommends that the Commission approve the modifications as minor as requested by the applicant.

SITE DESCRIPTION

The area that is the subject of this application is located at the northwestern corner of the overall PUD site, along the entire northern property line between the terminus of 39th Street, N.W. and Glover-Archbold Park, and south along the property line between the subject property and Glover-Archbold Park to the fence installed by the Embassy of France.

PROPOSED MODIFICATION

The applicant proposes to replace an existing six-foot high vinyl-clad chain link fence with an eight-foot high black ornamental steel fence as originally approved by Zoning Commission Order No. 305 for Case No. 79-14/79-6F, effective January 31, 1986.

ZONING

Section 3030 of the Zoning Regulations, Consent Calendar, states:

3030.1 The purpose of this section is to create an expedited procedure to be known as the "Consent Calendar." The procedure shall allow the Commission, in the interest of efficiency, to make, without public hearing, minor modifications and technical corrections to previously approved final orders, rulemaking, or other actions of the Commission, including corrections of inadvertent mistakes.

3030.2 For purposes of this section, "minor modifications" shall mean modifications of little or no importance or consequence.

3030.13 All relief granted by the Commission under this section shall be consistent with the intent of the Commission in approving its original order, map, plan, rulemaking, or other action or relief proposed to be modified or corrected and shall not substantially impair the intent, purpose, or integrity of the zone plan as embodied in the Zoning Regulations and Zoning Map.

The subject application proposes to make minor modification to the previously approved final order, ZC Order 05-28B, as described below.

Change fence type from six-foot high black vinyl-clad chain link to eight-foot high black ornamental steel iron.

The Hillandale HOA requests that this portion of fencing be changed from a six-foot high chain link fence to an eight-foot high black ornamental steel iron fence. The reasons for the change are to:

- Increase the security of the community;
- Minimize the entrance of deer and other wildlife into the community;
- Replace the existing fence with a more sturdy option; and
- To improve the aesthetic appearance of the fence.

The proposed fence would be similar to the existing in that it would be similar in color and appearance, and maintain the aesthetics between Whitehaven Park and Glover-Archbold Park the property of the Hillandale Homeowner's Association. The additional height, two-feet, would serve to better protect the subject property from wildlife intruding into its property, while minimally affecting the appearance of the fence. Replacement of a black chain link fence with a black ornamental steel fence would only serve to improve the appearance of the fence.

Fences between seven and ten feet in height are permitted by the Building Code, provided the applicant obtains consent from the adjoining property owner. In this case the adjoining property owner is the National Park Service (NPS) and the applicant would have to obtain the consent of NPS before a permit could be issued for the construction of the fence. The application indicates that the NPS has no objection to the proposal. Therefore, the Office of Planning finds that the modification to change the fence type from chain link to ornamental steel, and to increase the fence height from six to eight feet, to be of little or no consequence.

COMMUNITY COMMENTS

No comments were received from ANC 2E.

RECOMMENDATION

The Office of Planning recommends that the Commission approve the modification as minor.

JS/sjm^{AICP}

Case Manager: Stephen J. Mordfin, AICP